

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER OR HIS/HER DESIGNEE TO SUBMIT GRANT APPLICATIONS AND, IF AWARDED, NEGOTIATE AND EXECUTE GRANT AGREEMENTS WITH THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDS FROM SENATE BILL 2 PLANNING GRANTS PROGRAM FUNDS

WHEREAS, the State of California, Department of Housing and Community Development (“Department”) has issued a Notice of Funding Availability (NOFA) dated March 28, 2019, for its Planning Grants Program; and

WHEREAS, the Department is authorized to provide up to \$123 million under the Senate Bill 2 Planning Grants Program (“SB 2 Grant”) from the Building Homes and Jobs Trust Fund for assistance to local governments as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 [SB 2]) related to the Planning Grants Program; and

WHEREAS, the SB 2 Grant does not require matching funds from the City of San José and is fully reimbursable; and

WHEREAS, the Department requires an applicant to submit a City Council resolution authorizing a designated City official to apply for and accept grant funds along with the grant application; and

WHEREAS, the City of San José (“City”) desires to submit a proposal for the SB 2 Grant to accelerate the production of housing and will submit a grant application as described in the Planning Grants Program NOFA and SB 2 Planning Grants Program Guidelines released by the Department; and

WHEREAS, after the award is received, the City will appropriate and advance the funds, then to be reimbursed by the Department; and

WHEREAS, this City Council of the City of San José adopted a resolution (Resolution No. 79225) authorizing the City Manager or Manager's designee to apply for the SB 2 Grant on August 27, 2019, and the Department is requesting an update to the resolution with the addition of language pertaining to terms of the Standard Agreement, prior to grant application approval;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:

1. The City Manager or his/her designee are hereby authorized to submit a grant application for the following projects:
 - a. Advance implementation of Phase I and II of the update of the Zoning Code to remove obstacles to housing development and support future work related to certification of the next Housing Element;
 - b. Develop objective design and development standards for missing middle housing to increase housing supply as identified in the "Opportunity Housing" scope of work item for the General Plan Four-Year Review;
 - c. Develop illustrative outreach and informational material to assist applicants and community members in understanding housing-focused development standards in the Zoning Code, including the Density Bonus Chapter (Chapter 20.190 – Affordable Housing Density Bonuses and Incentives); or
 - d. Other housing policy work to facilitate housing production consistent with eligible activities as defined in the SB 2 Planning Grant program.
2. If the grant application is awarded, the City Manager or his/her designee are hereby authorized to negotiate and execute a grant agreement with the State of California Department of Housing and Community Development for funds from Senate Bill 2 Planning Grants Program Funds for the purposes stated in Section 1 above, and to take all actions necessary to effectuate the grant, including, but not limited to any amendments thereof and the State of California Standard Agreement ("Standard Agreement") or Loan and Grant Agreement.
3. The City of San José shall be subject to the terms and conditions as specified in the Standard Agreement, the SB 2 Planning Grants Program Guidelines, and any

applicable Planning Grants Program guidelines published by the Department. Funds are to be used for allowable expenditures as specifically identified in the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application will be enforceable through the executed Standard Agreement. The City of San José hereby agrees to use the funds for eligible uses in the manner presented in the application as approved by the Department and in accordance with the Planning Grants NOFA, the Planning Grants Program Guidelines, and 2019 Planning Grants Program Application.

4. The execution of any agreement authorized by this resolution is subject to the appropriation of funds therefore.

ADOPTED this _____ day of _____, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk